THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO. 19001 OF 2005

Dated 30th August 2005

Between:

Alli Seetharamaiah S/o.Late Veeraiah,

Aged:65 years, Occu:Cultivation,

R/o.Penagadapa village, Kothagudem Mandal,

Khammam District.

…Petitioner

And

The Special Deputy Collector (Tribal Welfare),

Bhadrachalam, Khammam District & 2 others.

…Respondents

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WRIT PETITION NO. 19001 OF 2005

O R D E R:

The Special Deputy Collector (Tribal Welfare), Bhadrachalam, the first respondent herein, initiated proceedings, against the petitioner, under Andhra Pradesh Scheduled Areas Land Transfer Regulation Rules, 1969, in relation to an extent of Ac.1-08 gts. of land, in Sy.No.365/37/AA of Penagadapa village, Kothagudem Mandal of Khammam District. Through an order, dated 28.5.2005, the first respondent directed resumption of the land from the petitioner. Aggrieved by the same, the petitioner filed an appeal, before the second respondent, on 16.7.2005,

together with an application for stay. His grievance is that no orders have been passed in the stay petition, so far, and in the mean while, the third respondent is taking steps to resume the land.

Heard the learned counsel for the petitioner and learned Government Pleader for Social Welfare.

The petitioner availed the statutory remedy of appeal, against the order dated 28.5.2005, passed by the first respondent. Unless appropriate interim orders are granted, pending disposal of the appeal, the very purpose of filing it, would be defeated. If the petitioner is dispossessed from the land, before the second respondent passes an order in the appeal, or in the stay petition, nothing remains to be decided.

For the foregoing reasons, the writ petition is disposed of, directing that the order dated 28.5.2005, passed by the first respondent, shall remain stayed, till the second respondent disposes of the appeal, preferred by the petitioner. There shall be no order as to costs.

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30th August 2005

Note: C.C. in three days.

(B/o)

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